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PATENT  
Attorney Docket No.: 016807-001530US

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TOWNSEND and TOWNSEND and CREW LLP

By: *Brad J. Loos*  
Brad J. Loos

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

ROBERT S. BEHL et al.

Application No.: 09/832,497

Filed: 04/11/2001

For: APPARATUS AND METHOD FOR  
TREATING TUMORS NEAR THE  
SURFACE OF AN ORGAN

Examiner: KEARNEY, R.

Art Unit: 3739

INFORMATION DISCLOSURE  
STATEMENT UNDER 37 CFR §1.97 and  
§1.98

Assistant Commissioner for Patents  
Washington, D.C. 20231

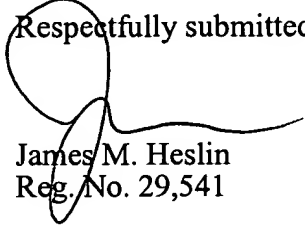
Sir:

The references cited on attached form PTO-1449 are being called to the attention of the Examiner. In accordance with 37 CFR §1.98(d), copies of the references can be found in Application Nos. 09/124,152 and 09/354,379 filed 07/28/98 and 07/14/99 (Attorney Docket Nos. 16807-001500 and 16807-001510), respectively. It is requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement, since it is being submitted prior to the first Office Action. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

  
James M. Heslin  
Reg. No. 29,541

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